O Public

1950

File No. Authorities Seals / 50

Legal Deptt.

A BRANCH

Subject:— Opinions under the Bombay Public Authorities Seals Act, 1883

File No. O. Public Authorities Seals/50

Gen. 134

422-A

C O N T E N T S.

Legal Department File No. 0. Public Authorities Seals /50

Sr.No.	R.I.No./O.No.	Subject	Pages
		pinions under the Bombay Public Authorities Seals Act, 1883	
1.	D.No.4154/ 25-[illegible]-50	Question regarding using the Seals of D.M. and P.C.Magistrate by the Addl. C.M. and Sub-Divl. Magistrate.	1-4

A.K.
29-6
5 copies

29/6

Submitted.

By H.D. notification No. 8081/5, dated 19-1-1950 issued under sec. 3 of the Bombay Public Authorities Seals Act, 1863, the Bombay Govt. has prescribed new seals for public authorities specified in the schedule. D.M. Amreli state that no seals have been prescribed for Addl. D.M. and the Sub-divisional Magistrate in the district. H.D. is of the view that the Addl. D.M. and Sub-Divl. Magistrate can use seals of D.M. and F.C.Magistrate since they are empowered with all their powers. The R.L.A. is requested to advise in the matter.

2. Section 3 of the Bombay Public Authorities Seals Act, 1863 empowers the Govt. to prescribe official seals for the public authorities stated therein. G.N. H.D. No. 8081/5, dated 19-1-1950 prescribes seals for Sessions Judges, Joint Sessions Judges, Addl. Sessions Judges, Asstn. Seessions Judges, Presidency Magistrates, District Magistrates and 1st. F.C. Magistrates. No separate seals are prescribed for Addl. D.Ms and Sub-Divisional Magistrates. since the Addl. D.M. is conferred with all powers of the D.M. he can use the seal of the D.M. Similarly if the S.D.M. is a 1st or 2nd class Magistrate, he can use the seals of the F.C. or 2nd Class Magistrate. ~~he can use the~~ This appears to be the present practice. It is not therefore necessary to prescribe separate seals for the Addl. D.M. and S.D.M. The papers may be seen and returned.

Sd/-P.S.Nadkarni
7-3.

A.L.E. If joint sessions Judges, Assistant Sessions Judges & Addl. sessions can be treated as separate public authorities, why should not the Addl. D.M.S. & Sub-D. Magistrates so treated? p.. discuss.

Sd/-R.T.Katarki.
8-3

It is for Tr.branch to decide this matter. Sd/- R.T.Katarki /10-3/"B"

S .A.K./2

The Addl. Session Judges, the Joint

S Session Judges and the Asstt. Session Judges have specifically been treated as separate public authorities under section 3 of the Bombay Public Authorities Seals Act, 1883. Even though they have been treated as separate public authorities, the official seal to be used by each such authority is of the same description as will appear from the G.N.D.D. dated the 9th July 1873 and from G.N.H.D.No. 8081-5 dated 19th January 1950 which supersedes the former notification. There is direction in the said notification that the seal shall contain the words "Courts of Session.....". In the blank space the name of the judicial district only is to be inserted.

2. It will also be observed that no separate seal has been prescribed for the Chief Presidency Magistrate.

3. The view taken by H.D. is correct.

Sd/-
22-3

Sd/- Addl. Secy Sd/-J.R.Dhurandhar 23/3

SA.K.
28/6
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Legal Department.

The view taken by the Home Department is correct.

O .c. Sd/-J.R.Dhurandhar,
24-3

Remem-
Additional Secretary to Gover
nment

U.R. to H.D.NO. 4154, dated the 25th March 1950.

S.A.K.

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